



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MARENICK, Michael et al.
Serial No.: 10/039,793
Filed: January 8, 2002
Title: HYDROLIZED WHOLE EGG PRODUCTS & RELATED METHODS
Examiner: Bahar, Mojdeh Art Unit: 1617
Docket: P0022-US

DECLARATION UNDER 37 C.F.R. SECTION 1.132

I, MICHAEL MARENICK, declare and say:

That I am a citizen of the United States of America and I reside at 101 Stonehouse Road, Glen Ridge, New Jersey 07028;

That I am the co-inventor in the above-identified patent application;

That I graduated in 1987 from James Madison University located in Harrisonberg, Virginia with a Bachelor in Science Degree in Computer Science;

That since 1995, I have been President and CEO of L'Avenir, LLC, a skin care company focused on solving numerous skin care problems such as acne, psoriasis, cellulite, dry skin, arthritis, etc. I have been involved with the cosmetic and skin care business for the past nine years;

That I am familiar with and have reviewed the above-identified Patent Application Serial No. 10/039,793 and I am addressing the Lavenir Healfast Cream mentioned by the Examiner in the Official Action dated June 30, 2003. The original Healfast Cream was first marketed in 1995. The formulation used in the Healfast Cream marketed between 1995 and early 2002, is different from the formulation covered by the claims in this pending application and its related applications, specifically the whole egg technology. The new formulation using "hydrolyzed whole egg" was first marketed and sold in commerce at the International Beauty Show in New York City on March 10, 2002.

That the undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to

be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon;

Further declarant saith not.

Date: November 24, 2003


Michael Marenick